

FILED 15 JUN '11 11:59 USDC-ORE

WILSON C. MUHLHEIM (OSB No. 681114)

mulheim@mb-lawoffice.com

MUHLHEIM BOYD, LLP

88 East Broadway

Eugene, OR 97401

Telephone: (541) 868-8005

Facsimile: (541) 868-8004

and

DUANE M. GECK (CSB No. 114823)

dmg@severson.com

ELEANOR M. ROMAN (CSB No. 178736)

emr@severson.com

SEVERSON & WERSON

A Professional Corporation

One Embarcadero Center, Suite 2600

San Francisco, CA 94111

Telephone: (415) 398-3344

Facsimile: (415) 956-0439

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

**ALLY FINANCIAL INC., a Delaware
Corporation**

Plaintiff,

vs.

NANCY HAMILTON, an individual

Defendant.

Case No.: 10-6209-TC

**STIPULATION FOR DISMISSAL OF
ACTION; ORDER**

[RULE 41(A)(2)]

WHEREAS, subsequent to the filing of this action by Plaintiff Ally Financial Inc. ("Plaintiff" or "Ally"), on February 3, 2011, defendant Nancy Hamilton ("Defendant" or "Hamilton") filed a bankruptcy petition in the United States Bankruptcy Court, District of Oregon under Chapter 7 of Title 11 of the United States Code.

WHEREAS, on May 18, 2011, the United States Bankruptcy Court, District of Oregon entered a "Chapter 7 Order re: Discharge; and Order Discharging Trustee and Closing Ch. 7 'No Asset' Case."

WHEREAS, Ally desires to dismiss this action without prejudice in exchange for the agreement of defendant, Nancy Hamilton to bear her own costs and attorneys' fees incurred in this action.

NOW THEREFORE, in consideration of the foregoing, the parties, by and through their attorneys of record, Ally and Nancy Hamilton, agree and stipulate as follows:

1. This action shall be dismissed without prejudice pursuant to the Court's order on this stipulation.
2. Each party shall bear its own costs and attorneys' fees incurred in this action.

IT IS SO STIPULATED.

DATED: June 10, 2011

By: 
 EDWARD P. FITCH
 Oregon State Bar No. 782026
 BRYANT, EMERSON & FITCH, LLP
 888 West Evergreen Avenue
 Redmond, OR 97756
 Telephone: (541) 548-2151
 Facsimile: (541) 548-1895
 efitch@redmond-lawyers.com
 Attorneys for Defendant NANCY
 HAMILTON

DATED: June 14, 2011


By: 
 ELEANOR M. ROMAN
 California State Bar No. 114823
 SEVERSON & WERSON
 A Professional Corporation
 One Embarcadero Center, Suite 2600
 San Francisco, CA 94111
 Telephone: (415) 398-3344
 Facsimile: (415) 956-0439
 emr@severson.com
 Attorneys for Plaintiff
 ALLY FINANCIAL INC.

ORDER

PURSUANT TO THE STIPULATION FOR DISMISSAL BETWEEN PLAINTIFF
ALLY FINANCIAL INC. AND DEFENDANT NANCY HAMILTON AND GOOD CAUSE
APPEARING,

IT IS SO ORDERED.

DATED: 6/15, 2011



The Hon. Thomas M. Coffin
United States District Court
Magistrate Judge